App. F. IX-4

1940

193 .
( )

File No. 23-40

Previous References
Ch. 222-39(1-3) Comb

Serial Nos. 1-9

Later References.
US 603-42(54-56)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Nine only

Part B for August 1940

SUBJECT.

Remission of the unexpired portion of the State Sentence passed on Pushparaj.

WD 0573—GPB—22,500—12-9-39

B.B. Shenclutes
28-9-40.

Serial No.

From
The Secretary to the Hon'ble the Resident
No R. F. 65(8)-40 Dt 24-7-40

Recommends that the unexpired portion of the State Sentence passed on Pushparaj may be remitted and the Criminal Case against Ahmed withdrawn.

The proposals of the Residency are the following:-

(i) the unexpired portion of the sentence of imprisonment passed by the State Court (II City Magistrate, Bangalore) on Pushparaj may be remitted.

(ii) that the charge pending against the accused Ahmed may be withdrawn.

The above proposals have been made on the ground that both the persons referred to above are juveniles and that it is undesirable to keep them in jail in view of the fact that they have been ordered to be sent to Borstal Schools in British India by the Spl. Magistrate C&M. Stations

The above accused persons were tried together in C.C.Nos. 1/40, 2/40, 4/40 on the file of the Special I Class Magistrate, Civil and Military Station, Bangalore and ordered to be sent for detention in the Borstal Schools in British India.

It is now seen that accused Pushparaj is undergoing in the Central Jail, Bangalore, the sentence of imprisonment passed on him by the II City Magistrate, Bangalore and the second accused Ahmed is an under-trial prisoner in C.C.No-8/40 on the file of II City Magistrate Bangalore. The Residency now suggest that the unexpired portion of the sentence in one case (Pushparaj) may be remitted and the charge pending trial in the other (Ahmed) withdrawn, on the ground that it is undesirable that both the juveniles should be kept in jail when an

NOTE—Contn. Sheet.

effective alternative is available.X

No particulars are available in this office as to the amount of sentence passed and the period of sentence still remaining to be served out by Pushparaj. No information is available as to whether the criminal case against Ahmed has already been decided and if so, whether he has been convicted by the II City Magistrate, Bangalore.

It is submitted that very recently the sentence passed by the State Court on one Seena was, at the instance of the Residency, remitted. Kind reference is invited to Government Order dated 17th May 1940 and to the final note dated 30th April 1940 in the Courts File 222-39-1-3 placed below. The circumstances of the above case are however different from the one now under consideration. In the above case the accused Seena was detained in the Borstal School at Tanjore in respect of two periods of detention in Borstal School each running to four years (the sentences running concurrently) and the sentence passed on him by the Mysore Court had to be served out in the State Jail after the expiry of the period of detention in the British Indian Borstal School. The Government of Madras represented that the commital to a Jail of a Borstal inmate after his release would be undesirable as it might destroy the effects of his period of training in Borstal School and agreeing with the view expressed by the Madras Government, the State sentence passed on Seena was remitted. In the present case one X of the two accused persons mentioned in the P.U.D. is already undergoing the State sentence and the other is an under-trial prisoner in the State.

X Detention in Borstal School

Flag Z

Flag X

X Pushparaj

Remission of the unexpired portion of the State Sentence passed on Pushparaj 644

General and Revenue Secretariat | File No. 23 of 1940. | [App. F. III-2

Serial No.

The first accused Pushparaj was convicted by the State Court before he was tried by the Civil and Military Station Court and the sentence passed on him in C. & M Station Courtwill have to begin after the expiry of the State sentence. It is thefefore for consideration as to whether the unexpired portion of the sentence passed on him by the II City Magistrate, Bangalore has to be remitted purely on the ground that he has to be subsequently detained/in a Borstal School in British India. With regard to second accused (Ahmed) it is submitted that his case will perhaps be on all fours with that of Seena.

Pending decision on the subject, it is for orders as to whether the following particulars may be called for:-

(i) Nominal Roll from the I.G. of Prisons in respec of the unexpired portion of the sentence of imprisonment passed on Pushparaj by the II City Magistrate, Bangalore

(ii) A report from the District Magistrate, Bangalore regarding the disposal of the criminal case against Ahmed and also particulars relating to the sentence passed on him etc.

Two drafts are put up for ~~xxxx~~ approval or other orders.

Issue 3/25/7

Issued No P 567 dt 25.7.60
No P 568 dt 25.7.60

Issue B bill 28.7.60

NOTE—Contn. Sheet.

Serial No.

From
The Dist. Majistrate Bangalore Dist
J. P R 65/60-61 Dt 26-7-1960

States that the Criminal Case against the accused Ahmed has been posted to 2-8-1960 for further evidence

From
The I.G. of prisons
345 Dt 27-7-1960

Forwards the Nominal roll in respect of the convict Pushparaj.

It is seen from the letters of the I.G. of prisons and Dist. Majis-trate of the Bangalore Dist that:

(1) The Convict Pushparaj has still to serve 2 months and some days in the Central Jail Bangalore

Flag O
(P. u D III)

(2) the accused Ahmed is still an under trial prisoner.

P. u D II

It is for orders as to whether

6442/29/40

Remission of the unexpired portion of the sentence and withdrawal of case in respect of certain juvenile offenders

General and Revenue Secretariat | Cts File No. 23 of 1940. | [App. F. III-

Serial No

P. & D I

862

A | The following suggestions of the Residency may be given effect to:-

(1) Remission of the unexpired portion of the sentence of imprisonment passed on Pushparaj by the Second City Magistrate Ba.

B | (2) Withdrawing the Criminal Case against the accused Ahmed

The above suggestions have been made by the Residency with a view to send them to Borstal School in British India to serve the sentences passed on them by the City Station Court Bangalore

Subd
CPR
29/7

A & B may be done, as the said persons, on receipt having in a Borstal School, the sentences passed on them & the State expenses.

Dy Secy) 3 29/7

I Member) Hm 29/7/40 3 30/7

NLL 30/7/40

This is a council matter and may be disposed of by circulation

Dewan) Mo 31/7 Hm 30/7 3 31/7

Chief Secy) MC Hm 1/8/40 Hm 1/8

OFFICE OF THE FIRST MEMBER OF COUNCIL
JUL 30 1940
No. 1209

1119/29/7

NOTE—Contn. Sheet.

74)

For Disposal by Circulation. **No. C. 708/1940-41**

1 193

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Proposal to remit the unexpired portion of the sentence of imprisonment passed on Pushparaj and to withdraw the criminal case against Ahmed, juvenile offenders.

Circulated to the Members of Council.

By Order,

2nd August 1940. *Chief Secretary to Government.*

First Member of Council. (Seen).

1225/2.8.40 **Second Member of Council.** F.C 6.8.40

Law Secy. with Compliments.

MS 6.8.40

Hm 2 7/8/40

Sent with a D.F.N.

Law Secy) 3 10/8

3 9/8/40

D.F.N. submitted

1652 I Member) 12-8-40

Hm 1 0/8/4

Signed F.N. is Kept in file.

GG 13/8/40.

S.N. put up.

Dewan)

MS 13.8.40

Subject:-
Remission of unexpired portion of sentence of imprisonment passed on Pushparaj who is now undergoing the sentence in the Central Jail Bangalore.

Draft Final Note:

These papers relate to the remission of the unexpired portion of the sentence of imprisonment passed by the Second City Magistrate, Bangalore on Pushparaj who is now undergoing the sentence ~~of imprisonment passed on him~~ in the Central Jail, Bangalore.

The above named convict who is 12 years of age was convicted under Section 380, India Penal Code and sentenced on 17th May 1940 to five months rigorous imprisonment and a fine of Rs.5/- and in default to rigorous imprisonment for five days, by the Second City Magistrate, Bangalore. The Residency have brought to the notice of Government that the above convict Pushparaj was subsequemtly convicted under Section 380, Indian Penal Code, by the Special First Class Magistrate, Civil and Military Station, Bangalore and ordered to be detained in the Senior Certified School Chengleput for a period of three years with a view to enable him to receive some training and education there.

The Hon'ble the Resident considers it undesirable that the juvenile convict Pushparaj should be kept in jail when an effective alternative is available and the Residency have accordingly suggested that the unexpired portion of the sentence of imprisonment passed on Pushparaj by the Second City Magistrate, Bangalore may be remitted in order that he may be sent

to the Senior Certified School, Chingleput, for training and education.

It is proposed to accept the suggestion of the Residency in the matter. The Dewan and the Second Member of Council also concur with the above proposal. I solicit the gracious sanction to the remission of the unexpired portion of the sentence of imprisonment passed on Pushparaj by the Second City Magistrate, Bangalore.

FIRST MEMBER OF COUNCIL.

Final Note by the First Member of Council.

Subject. —

Remission of unexpired portion of sentence of imprisonment passed on Pushparaj who is now undergoing sentence in the Central Jail, Bangalore.

These papers relate to the remission of the unexpired portio of sentence of imprisonment passed by the Second City Magistrate, Bangalore, on Pushparaj who is now undergoing sentence in the Central Jail, Bangalore.

The above named convict, who is 12 years of age, was convicted under Section 380, Indian Penal Code, and sentenced on 17th May 1940 to five months' rigorous imprisonment and a fine of Rs.5 and in default to rigorous imprisonment for five days by the Second City Magistrate, Bangalore. The Residency have brought to the notice o Government that the above convict Pushparaj was subsequently convicted under Section 380, Indian Penal Code, by the Special First Class Magistrate, Civil and Military Station, Bangalore, and ordered to be detained in the Senior Certified School, Chengleput, for a period of three years with a view to enable him to receive some training and education there.

The Hon'ble the Resident considers it undesirable that the juvenile convict Pushparaj should be kept in jail when an effective alternative is available and the Residency have accordingly suggested that the unexpired portion of the sentence of imprisonment passe on Pushparaj by the Second City Magistrate, Bangalore, may be remitted in order that he may be sent to the Senior Certified School at Chengleput for training and education.

It is proposed to accept the suggestion of the Residency in the matter. The Dewan and the Second Member of Council also agree with the above proposal. I solicit the gracious sanction of His Highness to the remission of the unexpired portion of the sentence of imprisonment passed on Pushparaj by the Second City Magistrate, Bangalore.

N. Madhava Rau

MEMBER OF COUNCIL

Camp Mysore,
13th August 1940.

Submitted to His Highness.

I submit herewith a Final Note by the FIRST *Member of Council on the subject of* the remission of the unexpired portion of sentence of imprisonment passed on Pushparaj who is now undergoing sentence in the Central Jail, Bangalore, *for His Highness' gracious approval.*

Mirza M. Ismail

Dewan.

Camp Mysore,

13th August 1940.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to remit the unexpired portion of sentence of imprisonment passed on Pushparaj who is now undergoing sentence in the Central Jail, Bangalore.

No 93
14-8-40

Order.

15/8/40.

General and Revenue
Secretariat.

SUBJECT:—

Proposal to remit the unexpired portion of sentence of imprisonment passed on Pushpara who is now undergoing sentence in the Central Jail, Bangalore.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* *Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....L..a..W.....Department.

1770
19.8.40

FIRST MEMBER OF COUNCIL.

20/8/40

1650
20.8.40

SECOND MEMBER OF COUNCIL

20/8

Law Secy. with compliments.

20/8/40

WD 04642—GPB—500—23-10-39

Remission of Sentence passed on prisoners

General and Revenue Secretariat | File No. 23 of 1940. | [App. F. III-2

Serial No

Recd on 24/8 6 pm

Two drafts are laid herewith.

(Cpm 22/8) (The Residency may be informed on the subject soon after the receipt of a reply from the DM Bangalore re. the disposal of the case against Ahmed).

Sd/- [illegible] S.O.

3/22/8

To
The DM Bangalore
No P 1075 Dt 22.8.40
Calls for a report re. the disposal of the case against Ahmed.

Result awaited issue for orders as to whether the draft G.O. in the file may issue.

(Soon after the receipt of the DM's report the Residency may be addressed in the matter)

From
The DM Bangalore dtd
No J, PR 65/40-41 Dt 22.8.40
States that Ahmed was discharged.

Cpm 23/8

The Bangalore DM's letter since received is put up.

A draft to the Residency is also put up.

Cpm 23/8 Two drafts are laid herewith.

(The question of withdrawal of the case against Ahmed does not arise as he has been discharged. The authorities of the Central Jail Bangalore will have already communicated this account to CPM Station authorities)

The drafts may be approved

Sd/- [illegible] Secy 3/23/8

Sd/- [illegible] 3/23/8

Hm 2/23/8/40

NOTE—Contn. Sheet.

1247

File No. of 194 . | General and Revenue Secretariat

Serial No. 8

To
The I.G. of Prisons
The I.G. of Police
The ~~D.M.~~ Bangalore Dist

No 1139-41 Dy 23.8.40

Directs the remission of the unexpired portion of the sentence of imprisonment including the sentence of imprisonment in default of payment of fine passed on pushparaj in C.C. No 6031/39-40 on the file of the Second City Magistrate Bangalore

To
The Secretary to the Hon'ble the Resident
pdl-276 Dy 23-8-1940

States that orders are under issue directing the remission of the sentence passed on pushparaj

B

Urgent

6449/c Rel. 176

A reference to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. R.F.65(8)-40/2401.

CS 23-40-1

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 24 July *1940.*

REMISSION OF SENTENCE - JUVENILE OFFENDERS - PUSHPARAJ AND AHMED.

SIR,

I am directed to forward a copy of letter No.368-A-40, dated the 17th July 1940, from the Special First Class Magistrate, to the District Magistrate, Civil and Military Station, Bangalore. As the Hon'ble the Resident considers it undesirable that the juveniles should be kept in jail, when an effective alternative is available, I am to request that if there is no objection, the Government of Mysore may be pleased to remit the unexpired portion of the sentence passed on Pushparaj by the Second City Magistrate, Bangalore City, and withdraw the charge pending against Ahmed, so that both may be sent to Certified Schools for training.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

Letter No.368-A-40, dated the 17th July 1940 from the Special First Class Magistrate, Civil and Military Station, Bangalore, to the District Magistrate, Civil and Military Station, Bangalore.

Juvenile offenders.

In enclosing a copy of the judgment in C.C.Nos.1, 2 and 4 of 1940 on the file of this Court, I have the honour to state that accused (1) Pushparaj aged 12 years and (2) Ahmed aged about 18 years were found guilty under section 380 Indian Penal Code and convicted accordingly. In lieu of sentence they have been ordered to be detained (1) in the Senior Certified School, Chingleput for three years and (2) in the Borstal School at Tanjore for a period of two years, respectively. The first accused Pushparaj is undergoing imprisonment in the Bangalore Central Jail for an offence under sections 380 and 75 Indian Penal Code convicted by the Second City Magistrate, Bangalore City in C.C.No.6031 of 39-40. The second accused Ahmed is an under-trial prisoner in C.C.No.8 of 40-41 (City Crime Branch No.153 of 39-40) on the file of the Second City Magistrate, Bangalore City under sections 380 and 75.

In view of the order passed by this Court, I request you kindly to address the Hon'ble the Resident in Mysore to move the Mysore Government to remit the unexpired portion of the sentence of the first accused and to have the charge pending against the second accused withdrawn, in order that they may be sent to the said institutions at an early date to enable the accused to undergo training in the above institutions.

In the Court of the Special First Class Magistrate,
Civil and Military Station, Bangalore.

C.C.Nos.1, 2 and 4/40.

Complainant.	Vs.	Accused.
King Emperor		1. Pushparaj 2. Ahmed.

Judgment.

Accused 1 and 2 are charged with offences under section 380 of the Indian Penal Code. In all the three cases viz. C.C.No.1/40, 2/40, C.C.4/40, the said three cases were clubbed and tried together and both the accused pleaded guilty to the said charge. I find them guilty accordingly. It is ascertained and determined that the age of the accused 1 is of 12 years and that of accused 2 is of 18 years. It is clear that both the accused are uncared for by their parents and relations. In their own interest I think it is desirable that they are sent to Senior Certified and Borstal Schools where they may receive some sort of training and education. In lieu of sentencing them to any imprisonment I order that accused 1 be sent to Senior Certified School, Chingleput and detained there for a period of 3 years and accused 2 to Borstal School for being detained there for 2 years.

The properties concerned may be returned to the respective owners.

Pronounced in open Court this 16th Day of July, 1940.

Sd/- G.Narayanaswamy Chetty,
Special First Class Magistrate.

"Copy"

Superintendent, Resident's Office.

VGT

2 duplicate

No. P56 & 25[illegible] 1[illegible]

ch 23-40-2

To

The I.G. of Prisons in Mysore,
Bangalore.

Sir,

I am directed to request that ~~x~~ the Nominal Roll in respect of the prisoner Pushparaj who is undergoing a Sentence of imprisonment in the Central Jail, Bangalore passed on him by the II City Magistrate, Bangalore City in C.C.No.6031/39-40 on his file may kindly be furnished to Government ~~immediately~~ in the course of the day

I have the etc.,

Dft)

for Secretary to Govt
Law Deptt.

TNR)

July 1940.

The

LAW DEPARTMENT.

The Inspector General of Prisoners
in Mysore, Bangalore.

Sir,

I am directed to request that a Nominal Roll in respect of the prisoner Pushparaj who is undergoing a sentence of imprisonment in the Central Jail, Bangalore passed on him by the Second City Magistrate, Bangalore City in C.C.No.6031/39-40 on his file may kindly be furnished to Government in the course of the day.

I have the honour to be,

Sir,

Your most obedient servant,

For SECRETARY TO GOVERNMENT.
LAW DEPARTMENT.

3 2 encls Ch. 23-40-3
No. P568 & 2527.40

The District Magistrate,
Bangalore District.

Sir,

I am directed to request that Government may be furnished with a report as to whether that the criminal case pending against Ahmed who is reported to be an under-trial prisoner in C.C.No.8/40-41 on the file of the II City Magistrate, Bangalore has been disposed of. If he has been convicted of the offence charged for, the particulars relating to the period of sentence etc., may also be furnished in the report.

The matter may be treated as immediate.
I regret delay occurred in this matter.

I have etc.,

Dft) 3

for Secretary to Government,
Law Department.

TNR)

Immediate

No. P568

25th July 1940.

The

LAW DEPARTMENT.

The District Magistrate,
Bangalore District.

Sir,

I am directed to request that Government may be furnished with a report as to whether ~~that~~ the criminal case pending against Ahmed who is reported to be an under-trial prisoner in C.C.No.8/40-41 on the file of the Second City Magistrate, Bangalore has been disposed of. If he has been convicted of the offence charged for, the particulars relating to the period of sentence etc., may also be furnished in the report.

The matter may be treated as <u>immediate</u> and a reply sent in the course of the day.

I have the honour to be,

Sir,

Your most obedient servant

SECRETARY TO GOVERNMENT,
LAW DEPARTMENT.

TNR-2)

724 p40.

In all future communications please quote—
No. Jn.P.N.65/40-41
Enc.

SECY. LAW DEPT. Law 27 JULY 1940 GOVT OF MYSORE

OFFICE OF THE DISTRICT MAGISTRATE,
BANGALORE DISTRICT.

Dated, Bangalore, the 26th July 1940 *193* .

CB. 23-40-4

FROM

Abdul Aziz Khan, Esq., B.A.,
District Magistrate,
Bangalore District.

L & REV. SECY. 27 JUL 1940 GOVT OF MYSORE

To

H.V. Narayana Rao, Esq., B.A., LL.B.,
Secretary,
to the Government of Mysore.
Law Department, Bangalore.

SIR,

Subject:—

With reference to your letter No.P.568 dated 25-7-1940 re. the trial of C.C.No. 8/40-41 on the file of the II City Magistrate, Bangalore, (Government VS. Ahmed alias Gillari), I have the honour to state that the Second City Magistrate, Bangalore, reports in his letter No.38/40-41 dated 26-7-1940 that 3 prosecution witnesses have been examined in the said case which has been posted to 2-8-1940 for further evidence. The accused is in custody in the Central Jail, Bangalore.

I have the honour to be,
S i r,
Your most obedient servant,

S. Veeranaiappa
For District Magistrate,
Bangalore District.
(Absent from Station.)

gvm/-

Immediate 5 749/940

In reply please quote:

No. .....Enc.

Office of the Inspector-General of Prisons in Mysore.

345-11 Encl

Bangalore, dated the 27th July *1940*

Ch. 23-40-5

FROM

Rajasevasakta

B. K. NARAYANA RAO, ESQ., B.A., M.B.C.M., M.R.C.S. (ENG.), D.P.H., D.O. (OXON.),
Inspector-General of Prisons in Mysore, Bangalore.

SECY. LAW DEPT Pris 1940 GOVT OF MYSORE

To

The Secretary to the Government of H.H. the Maharaja of Mysore, Law Department, Bangalore.

SIR,

27/7

With reference to your letter No. P. 567 dated the 25th July 1940 calling for the nominal roll in respect of prisoner Pushparaj who is undergoing a sentence of imprisonment in the Central Jail passed on him by the 2nd City Magistrate, Bangalore City in C.C. No.6031/39-40 on his file, I have the honour to forward herewith the nominal roll of the prisoner referred to, as desired.

27/7

27/7

I have the honour to be,
Sir,
Your most obedient servant,

27/7

Inspector-General of Prisons.

Form No. 36]

Nominal Roll of Male Convict No. † 7287 (B) Name Pushparaj Residence Bangalore City.

(Village, Taluk and District) Bangalore

Caste Christian Present age 12 Years Occupation Student.

WD 0598—GPB—540—23-9-35

Section and Code under which imprisoned	Original sentence and date of award	Adjudicating Court and number of Calendar case in which convicted	Unexpired term of sentence after deducting remission earned			Present state of health and fitness to undertake a journey ‡	Result of appeal (if any)	Conduct in Jail	Remarks
			Y.	M.	D.				
380 I. P. C.	5 Months R.I. and Fine Rs.5/- or 5 days R.I. 17-5-1940	Second City Magistrate, Bangalore City in C.C. No.6031 of 39-40.	-	2	24	Good.	nil	Good.	He is a Juvenile convict.

* Strike out and add, "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a casual or habitual, respectively, and after the latter, add the number of previous convictions, thus No. 3742, 3.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Offi

Note.—For personal and descriptive marks—see reverse.

Bangalore Central Jail.
Dated 27th July 1940.

Reverse

Personal and descriptive marks

(To be given in respect of escaped prisoners only with reference to Rules 501-2, Jail Manual.)

27/7/40. *Superintendent.*
Central Jail, Bangalore.

Cb 23-40-6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated. Bangalore. 22 August 1940.

No. P 7033/CS 23-40

From

The ~~XXXX~~ Chief Secretary to the Government of His Highness
Law Department. *the Maharaja of Mysore.*

To

The District Magistrate.
Bangalore District.

Sir,

I am directed to invite reference to correspondence ending with your letter No.J.1.P.R.65/40-41 regarding the disposal of a criminal case pending against the accused Ahmed in C.C.No.8/40-41 on the file of the II City Magistrate, Bangalore and to enquire whether the above case has been disposed of.

A report in the matter may be furnished to Government in the course of this day.

I have the honor to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department.

TN-2)

Immediate.

In all future communications please quote No. J.I-P.R.65/40-4.

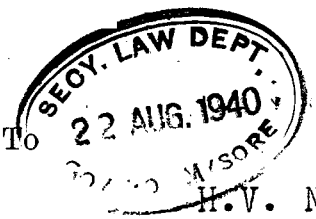
OFFICE OF THE DISTRICT MAGISTRATE.
BANGALORE DISTRICT.

Dated: Bangalore, the 22-8-1940 ....193 .

Cb. 23-40-7

FROM

Abdul Aziz Khan, Esq., B.A.,
District Magistrate,
Bangalore District.



To

H.V. Narayana Rao, Esq., B.A., LL.B.,
Secretary,
to the Government of Mysore.
Law Department, Bangalore.

Hm 2 2/8 3 3/8

SIR,

Subject:—

With reference to your letter No.P.1075/Cts 23-40 dated 22nd August 1940 re. the disposal of C.C.No. 8/40-41 against the accused Ahmed on the file of the II City Magistrate, Bangalore, I have the honour to state that it is ascertained that the said case ended in discharge of the accused on 2-8-1940.

I have the honour to be,
S i r,
Your most obedient servant,

BS. Suryanarayana

For District Magistrate,
Bangalore District.
(Absent from Station)

evm/-

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

2 drafts

Diary No. of letter replied to.....

Section 45

File No. 23-40

Serial No. 8

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 23-8-40 ~~193~~.

Read—

Signed by Mr K.P.P.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part ?

Order thereon.—No. 17139-41

One Pushparaj who is reported to be ~~of~~ 12 years of age was convicted under Section 380 of the Indian Penal Code and sentenced on 17th May 1940 to rigorous imprisonment

for five months and a fine of Rs 5/- and in default to rigorous imprisonment for five days by the Second City Magistrate Bangalore. The Residency have brought to the notice of Govt that the Convict Pushparaj was subsequently convicted under Section 380 I.P.C by the Special First Class Magistrate, Civil and Military Station Bangalore and ordered to be detained in the Senior Certified School Chengleput for a period of three years with a view to enable him to receive some training and education in the above institution.

It is considered undesirable

He is now undergoing the sentence referred to above in the Central Jail Bangalore

List of Enclosures

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

that the juvenile Convict pushparaj should be kept in jail when an effective alternative is available and with this end in view the Residency have suggested that the unexpired portion of the sentence passed on pushparaj may be remitted in order that he may be sent to the Senior Certified School Chingleput for training and education.

Accepting the suggestion of the Residency, Govt are pleased to direct

that the unexpired portion of the sentence of imprisonment including the sentence of imprisonment in default of payment

WD 0186—GPR—15,000—6-9-34

of fine passed on the juvenile convict Purusharaj in C.C. No 6031/39-40 on the file of the Second City Magistrate Bangalore be remitted under Section 401 (1) of the Code of Criminal Procedure.

The I.G. of prisons is requested to make necessary arrangements for the delivery of the convict purusharaj to the concerned authorities of the C.T.I. Station Bangalore who will send him to the Senior Certified School, Chingleput

Hm
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23/8

Secretary to Govt
Law Dept

To
The I.G. of prisons in Mysore
The Addl of police "
The C.T.I. Bangalore dist

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

ORDER No.P. 1139-41/Ch.23-40-8

Dated, Bangalore, the 23rd August 1940.

One Pushparaj who is reported to be 12 years of age was convicted under section 380 of the Indian Penal Code and sentenced on 17th May 1940 to rigorous imprisonment for five months and a fine of Rs.5/- and in default to rigorous imprisonment for five days by the Second City Magistrate, Bangalore. He is now undergoing the sentence referred to above in the Central Jail, Bangalore. The Residency have brought to the notice of Government that the convict Pushparaj was subsequently convicted under section 380 Indian Penal Code by the Special First Class Magistrate, Civil and Military Station, Bangalore and ordered to be detained in the Senior Certified School, Chengleput for a period of three years with a view to enable him to receive some training and education in the above institution.

It is considered undesirable that the juvenile convict Pushparaj should be kept in Jail when an effective alternative is available and with this end in view the Residency have suggested that the unexpired portion of the sentence passed on Pushparaj may be remitted in order that he may be sent to the Senior Certified School, Chinglepat for training and educatio

Accepting the suggestion of the Residency, Government are pleased to direct that the unexpired portion of the sentence of imprisonment including the sentence of imprisonment in default of payment of fine passed on the juvenile convict Pushparaj in C.C.No. 6031/39-40 on the file of the Second City Magistrate, Bangalore be remitted under Section 401 (i)

of the Code of Criminal Procedure.

The Inspector General of Prisons is requested to make necessary arrangements for the delivery of the convict Pushparaj to the concerned authorities of the Civil and Military Station, Bangalore who will send him to the Senior Certified School. Chingleput

ecretary to Government
Law Department.

To--The Inspector General of Prisons in Mysore.
" Inspector General of Police in Mysore.
" District Magistrate, Bangalore District

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

ORDER No.P. 1139-41/Ch 23-40-8

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It is considered undesirable that the juvenile convict Pushparaj should be kept in jail when an effective alternative is available and with this end in view the Residency have suggested that the unexpired portion of the sentences passed on Pushparaj may be remitted in order that he may be sent to the Senior Certified School, Chinglepat for training and education.

Accepting the suggestion of the Residency, Government are pleased to direct that the unexpired portion of the sentence of imprisonment including the sentence of imprisonment in default of pa yment of fine passed on the juvenile convict Pushparaj in C.C.No. 6031/39-40 on the file of the Second City Magistrate, Bangalore be remitted under Section 401 (1)

of the Code of Criminal Procedure.

The Inspector General of Prisons is requested to make necessary arrangements for the delivery of the convict Pushparaj to the concerned authorities of the Civil and Military Station, Bangalore who will send him to the Senior Certified School, Chingleput.

Secretary to Government,
Law Department.

To--The Inspector General of Prisons in Mysore.
" Inspector General of Police in Mysore.
" District Magistrate, Bangalore District.

TN-5)

Appendix F G—1]

SUBJECT... .....

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2 drafts

Section

File No.

Serial No.

Diary No. of letter replied to..... .....

No.

To

The Secretary to the
Hon'ble the Resident

General and Revenue Secretariat

( )

the *193* .

Date of issue.....

Signed by.....

Subject :- Remission of Sentence passed on Pushparaj and the Withdrawal of the Case against Ahmed.

Sir

With reference to your letter No R.T. 65(8)-40 / Judl Dt 24.7.1940 on the above subject, I am directed to State that orders are under issue directing the remission of the unexpired portion

List of enclosures.....

Copied by.....

Examined by.....

WD 0563—GPB—30,000—6-1-39

Of the sentence of imprisonment passed on the juvenile convict pushparaj by the Salem city Magistrate Bangalore.

In respect of the accused Ahmed, I am to state that it is reported that he was discharged on 2-8-1940.

I have etc

H.M. 2318

Secretary to Govt.
Law Dept

23rd August 1940.

Pol.276/CS 23-40-9

The

Law Department.

Remission of sentence passed on Pushparaj and the withdrawal of the case against Ahmed.

With reference to your letter No.R.F.65(8)-40/Judl. dated 24th July 1940 on the abbve subject, I am directed to state that orders are under issue directing the remission of the unexpired portion of the sentence of imprisonment passed on the juvenile convict Pushparaj by the Second City Magistrate, Bangalore.

In respect of the accused Ahmed, I am to state that it is reported that he was discharged on 2nd August 1940.

I have the honor to be,

Sir,

Your most obedient servant,

h

Fr Secretary to Government,
Law Department.